

REMARKS

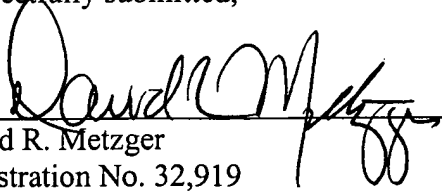
Claims 1-5 are pending in the above-identified application. Claims 1-5 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Inagaki* (U.S. Patent No. 6,765,246).

Applicant previously submitted a 37 C.F.R. §1.131 declaration attesting to the fact that the present invention was invented prior to the effective date of the *Inagaki* reference. However, in the Advisory Action, the Examiner maintains that Applicant has not provided sufficient evidence of diligence between the filing date of 8/21/02 of *Inagaki* and the effective filing date of the instant invention. Although Applicant does not necessarily agree with the Examiner, Applicant hereby submits a 37 C.F.R. §1.131 declaration of Ryoichi Dansho, who was the Sony patent engineer responsible for the preparation and filing of the Japanese Patent Application to which the present application claims priority. Mr. Dansho's declaration establishes that Applicant's diligence in preparing a patent application during the relevant time period.

Accordingly, Applicant requests withdrawal of the present rejection and submits that the application is in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

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